

1 Total pages: 3  
JAMES E. SALVEN  
2 Chapter 7 Trustee  
8427 N. Millbrook Ave., Ste. 101  
3 Fresno, California 93720  
(559) 230-1095  
4

5 **IN THE UNITED STATES BANKRUPTCY COURT**  
6 **EASTERN DISTRICT OF CALIFORNIA**  
7

8 In the Matter of  
9

Case No. 10-15248-B-7

DC No. JES-1

10 **Gerald & Rachael Britton,**  
11

**MOTION FOR AUTHORIZATION  
TO SELL PERSONAL PROPERTY**

12 Debtor(s).  
13 \_\_\_\_\_ /

Date: 08/31/11  
Time: 10:00 a. m.  
Dept: B

14 TO THE HONORABLE W. Richard Lee, UNITED STATES BANKRUPTCY  
15 JUDGE:

16 James Salven respectfully represents:

17 1. He is the duly appointed, qualified and acting trustee of  
18 the above-entitled estate.

19 2. The above-captioned case was filed under Chapter 7 on  
20 05/11/10 and Beth Stratton was appointed trustee. Ms. Stratton  
21 resigned 11/01/10 and James Salven was appointed successor.

22 3. This Court has jurisdiction over this proceeding by  
23 virtue of 28 U.S.C. §1334(a). This is a "core" proceeding pursuant  
24 to 28 U.S.C. §157(b) (2) (A). This motion is brought pursuant to  
25 11 U.S.C. §363.

26 4. Among the assets of this estate is a 1/4th residual  
27 beneficiary interest in the Francis and Priscilla Britton Family  
28

1 Trust(hereinafter Family Trust)-both settlers are deceased.

2 5. The only assets of the Family Trust is cash(in the amount  
3 of \$23,499.73 as of 05/31/11) and a rental property located at 1700  
4 Second Street in Atwater, California(with an estimated value of no  
5 more than \$70,000). If these assets were reduced to cash today the  
6 interest of the bankruptcy estate would be no more than \$23,750  
7 before liquidation and administrative costs.

8 6. The other three beneficiaries are disinclined, at this  
9 time, to liquidate the real property; thus to force a sale(which it  
10 appears the Family Trust terms would not allow) would cause the  
11 estate to incur both time delays and substantial costs.

12 7. The trustee has obtained an offer from Donna Farmer, in  
13 her capacity as the Family Trust trustee, the bankruptcy estate's  
14 interest in the Family Trust for the sum of \$18,000. Funds have  
15 been deposited with the estate subject to court approval.

16 8. The trustee has not agreed to pay commissions to any  
17 party in connection with the proposed sale.

18 9. There are no adverse tax consequences from the sale.

19 10. Said offer is the best and highest offer received for  
20 said property and, in the opinion of the trustee, said offer is for  
21 the full and fair market value of said property(after consideration  
22 of potential costs to litigate and liquidate).

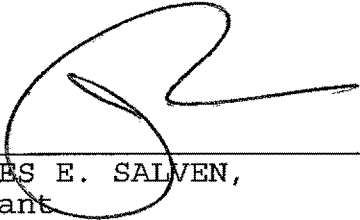
23 11. The trustee believes that confirmation of said sale on  
24 the terms set forth above is in the best interest of the creditors  
25 of this estate and all parties in interest.

26 12. Confirmation of this sale will allow the estate to  
27  
28

1 proceed to distribution and closing.

2  
3 WHEREFORE, the trustee prays that after appropriate notice and  
4 opportunity to be heard, he be authorized to sell the above-  
5 described asset to the Family Trust.

6  
7  
8 DATED: 7/18/11

  
9 JAMES E. SALVEN,  
Movant